

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Sarah Turner	Team: Team # 2	CCRB Case #: 200712461	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 08/28/2007 12:20 PM	Location of Incident: § 87(2)(b)	Precinct: 28	18 Mo. SOL 2/28/2009	EO SOL 2/28/2009	
Date/Time CV Reported Tue, 08/28/2007 1:55 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 08/28/2007 1:55 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. SGT Flavio Rodriguez	00806	924407	028 PCT
2. POF Angelica Salmeron	07116	939408	028 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Neil Lawson	11184	906619	028 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Flavio Rodriguez	Force: Sergeant Flavio Rodriguez used physical force against § 87(2)(b)	§ 87(2)(b)
B.POF Angelica Salmeron	Force: PO Angelica Salmeron used pepper spray against § 87(2)(b)	§ 87(2)(b)

## Synopsis

On August 28, 2007, § 87(2)(b) a § 87(2)(b) white male § 87(2)(b), filed a complaint via telephone with the CCRB. § 87(2)(b) stated that at approximately 12:20 p.m. that same day, he called the police because one of his clients, § 87(2)(b) § 87(2)(b) was at his office and was very disturbed and making threats with a cane. § 87(2)(b) requested police and EMS to respond because § 87(2)(b) was an EDP and needed to be taken to the hospital. Two uniformed officers (Sgt. Rodriguez and PO Salmeron, names provided by § 87(2)(b) from PO Salmeron) arrived, and at that point § 87(2)(b) was calm. § 87(2)(b) informed them of this and told the officers to try and keep § 87(2)(b) calm because in the past he had swung his cane around when he was upset. Sgt. Rodriguez demanded that § 87(2)(b) sit down, at which point § 87(2)(b) lunged at Sgt. Rodriguez and struck him in the face with his cane. The two officers then tried to subdue § 87(2)(b) and they were able to get him on the floor in the office. PO Salmeron had § 87(2)(b) pinned to the floor and was handcuffing him when Sgt. Rodriguez kicked § 87(2)(b) in the head twice and in the back twice (allegation A). One of the two officers, § 87(2)(b) thought it was PO Salmeron, sprayed pepper-spray and it was filling the office (allegation B). Sgt. Rodriguez and PO Salmeron took § 87(2)(b) away without waiting for EMS to show up. There was blood all over the office, which § 87(2)(b) took pictures of and then cleaned up. PO Salmeron came back half an hour later to get § 87(2)(b)'s card and § 87(2)(b) asked her for her name and her partner's name, both of which she provided.

An initial please call letter was sent to § 87(2)(b) on September 4, 2007. § 87(2)(b) was contacted via telephone on September 4, 2007, at which point he reiterated his complaint and stated that it was PO Salmeron who pepper-sprayed § 87(2)(b). § 87(2)(b) identified a coworker of his, § 87(2)(b) as a witness to the incident. He also stated that he spoke with another client, § 87(2)(b) who told him that after the officers put § 87(2)(b) in the van, Sgt. Rodriguez continued to punch him until they drove off, but § 87(2)(b) did not witness this (allegation A). § 87(2)(b) scheduled an interview appointment for September 13, 2007. On September 13, 2007, § 87(2)(b) called to reschedule his interview appointment for September 18, 2007, which he missed without canceling in advance. A missed appointment letter was sent to § 87(2)(b) on September 18, 2007, and two voicemail messages were left for him, one each on September 18 and 24, 2007. As of the date of this report, § 87(2)(b) has not contacted the CCRB to reschedule his interview appointment and the letters sent to his address have not been returned to the CCRB.

§ 87(2)(b) was sent a total of three please call letters, one each on September 4, 13, and 18, 2007, plus a final please call letter on September 24, 2007, none of which were returned undeliverable to the CCRB. § 87(2)(b) sent back one of the please call letters requesting that the undersigned "represent [his] case at board review council ad hoc (police intervention positive/negative)." § 87(2)(b) called the CCRB on September 11, 2007, and provided the phone number for his agency as his contact number. § 87(2)(b) was left messages twice at that number, and his cell phone number was called but it was disconnected. As of the date of this report, § 87(2)(b) has not contacted the CCRB and his letters have not been returned to the CCRB. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: